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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas et al.

Confirmation No.: 4439

Serial No.: 09/978,274

Art Unit: 1638

Filed: October 15, 2001

Examiner: Medina Ahmed Ibahim

For: PLANT CELL DEATH SYSTEM

Attorney Docket No: 9341-028-999

## RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MAY 08 2003

TECH CENTER 1600/2900

Sir:

In response to the outstanding Office Action dated February 3, 2003, please consider the remarks below. Applicants submit concurrently herewith a Petition For Extension Of Time for two months up to and including May 3, 2003.

**REMARKS**

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following inventions:

- I. Claims 1-2, 7-9, 27-28, 29-32, drawn to a method for inducing a necrotic effect in a plant by transforming the plant with a gene encoding a mature pokeweed antiviral protein including SEQ ID NO: 4.
- II. Claims 1, 3, 7-9, 27-28, and 29-32, drawn to a method for inducing a necrotic effect in a plant by transforming a plant with a gene encoding a mature pokeweed antiviral protein including the PAP-S  $\alpha$  of SEQ ID NO: 6.
- III. Claims 1, 4, 7-9, 27-28, and 29-32, drawn to a method for inducing a necrotic effect in a plant by transforming a plant with a gene encoding a pokeweed antiviral protein, specifically the PAP-S  $\beta$  protein of SEQ ID NO: 8.